

**Date of Meeting:** March 5, 2014

**BOARD OF SUPERVISORS  
BUSINESS MEETING  
ACTION ITEM**

**# 8**

**SUBJECT:** Design Services for the Dulles Corridor Metrorail Parking Garages

**ELECTION DISTRICT(S):** Broad Run and Dulles

**CRITICAL ACTION DATE:** March 5, 2014

**STAFF CONTACTS:** Alan Winn, Transportation & Capital Infrastructure  
Joe Kroboth, Transportation & Capital Infrastructure  
Ben Mays, Management & Financial Services

**RECOMMENDATION:**

**Staff:** Staff recommends that the Board of Supervisors (Board) authorize funding in the amount of \$3,000,000 from unassigned fund balance and direct staff to proceed with consultant selection and preparation of the design-build performance criteria package for the Dulles Corridor Metrorail Parking Garages concurrent with the efforts to evaluate the private entity garage proposals proceeding through the public-private transportation act (PPTA) process.

---

**BACKGROUND:**

On January 15, 2014, the Board of Supervisors voted (8-1, Delgaudio opposed) to notify the United States Department of Transportation (USDOT) that it will finance and construct the Loudoun parking garages separate from the Dulles Corridor Metrorail Project, provided that the USDOT provides Transportation Infrastructure Finance and Innovation Act (TIFIA) assistance for construction of the Dulles Corridor Metrorail Project. On Friday, February 21, 2014 the County was invited by the USDOT to submit an application for the TIFIA funding, which is a leading indicator that the funding will be made available. This action by the Board creates an opportunity for the Board to deliver the parking garages using one of two methods. The first is to negotiate an agreement with a private entity to deliver the garages. The second, should the County be unable to reach an acceptable agreement with the private entity, is to utilize County resources to manage the design and construction process to deliver the parking garages before opening day of the Phase 2 portion of the Dulles Corridor Metrorail Project.

Four private entity proposals to deliver the garages were received and evaluated by a Proposal Analysis Group (PAG) consisting of members from County Administration, the Departments of Management & Financial Services, Building & Development, Planning, and Transportation & Capital Infrastructure. The initial comprehensive review of the proposals revealed all four may be viable proposals; meaning none had “fatal” flaws. Staff recommended to the Board on

January 15, 2014, that they approve proceeding to the next step by formally accepting the proposals for further review and evaluation which will allow the PAG to proceed with the remaining phases of the PPTA process. Staff intends to present a recommendation to the Board in the spring/summer of 2014 to begin the negotiations phase of the PPTA process. Negotiations are anticipated to take approximately 12 months depending on the number of firms selected to participate further.

In the event the privatization concept fails to reach agreement with any of the private entities through the PPTA process, the Department of Transportation & Capital Infrastructure will be tasked to deliver the parking garages prior to the Metropolitan Washington Airports Authority's (MWAA) projected opening day for the Phase 2 Dulles Corridor Metrorail Project currently scheduled for January 2019. The Department has evaluated the tasks associated with the delivery process including consultant selection, design development, site acquisition, rezoning applications, construction contract procurement, construction, and the associated legislative application approvals; and concluded that the decision point for assuming responsibility for in-house management and delivery of the garages will significantly reduce the period of time available to negotiate a private entity delivery agreement. Given the January 2019 start of revenue service for the Phase 2 project, DTCI staff will need to initiate actions by January 2015 to meet the opening day deadline. By authorizing this request, the Board will provide the negotiating team approximately an additional eight (8) months of time to secure a successful PPTA agreement. Therefore, staff is recommending that the Board authorize funding and direct staff to proceed with the consultant procurement and design-build performance criteria package. Staff believes this step is essential to ensure delivery of the garages in time for the opening of the Metrorail project and to position the County for competitive negotiations with the private entity proposers.

The design-build performance criteria package consists of the design development drawings, depicting the Owner's objectives for the project and specific criteria defining the performance and functionality that the project must accomplish. The Owner's objectives will develop a clear project description and includes, but may not be limited to, applicable codes, legislative actions relating to zoning and land use, cost controls, scheduling implications, quality aspects, operational requirements, project functionality, special site and environmental conditions, equipment, constructability, aesthetics/architecture treatments, acceptance testing/criteria and other technical factors.

## **ISSUES:**

Parking garages at the Route 606 and Route 772 station areas are critical components to the Dulles Corridor Metrorail Project. Failure to deliver the garages by opening day will immediately create congestion, confusion for motorists and degrade the integrity of the Metrorail project.

**ALTERNATIVES:**

The following alternatives are available to the Board:

1. Recommended: Authorize funding and direct staff to proceed with consultant selection and preparation of the design-build performance criteria package.
2. Delay consultant selection and development of the design-build performance criteria until such time that a determination has been made that a successful agreement cannot be reached with any of the four private entities proposing to deliver the parking garages.

**FISCAL IMPACT:**

Staff estimates the cost to develop the design-build performance criteria package is approximately \$3,000,000. Staff recommends utilizing \$3,000,000 in unassigned General Fund Balance to develop the design-build performance criteria package.

The recommended value for the work (\$3,000,000) is based on industry standards for architecture/engineering services as part of an overall project construction cost, and is purely an estimate at this point. The actual fee will be determined through a competitive procurement process. This fee does not represent the total cost for all design services associated with the project. This is because the staff intends to award this project as a design-build construction package. As such, the accompanying project performance criteria will be enumerated and the design will be developed to only a 30-50% complete level. The design-build team will then complete the project design as a task of their overall scope.

**DRAFT MOTIONS:**

1. I move that the Board of Supervisors authorize staff to execute a budget adjustment transferring \$3,000,000 in unassigned General Fund Balance to the Capital Fund, and direct staff to proceed with consultant selection and preparation of the design-build performance criteria package for the Dulles Corridor Metrorail Parking Garages concurrent with the efforts to evaluate the private entity garage proposals proceeding through the public-private transportation act (PPTA) process.

OR

2. I move an alternate motion.